



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

April 19, 2005

IN REPLY PLEASE

REFER TO FILE: **MP-5**

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF INTENTION TO VACATE  
ALLEYS EAST OF LINCOLN AVENUE  
ALTADENA - FUTURE PUBLIC HEARING  
SUPERVISORIAL DISTRICT 5  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Adopt the enclosed Resolution of Intention to Vacate (Conditionally) the north/south alley and a portion of the east/west alley (hereafter referred to as the "ALLEYS"), east of Lincoln Avenue, in the unincorporated County area known as Altadena, pursuant to Section 8320, et seq., of the California Streets and Highways Code.
2. Set the matter for hearing not less than 15 days from the adoption of the Resolution pursuant to Section 8320 of the California Streets and Highways Code.
3. Instruct the Executive Officer of the Board to publish the enclosed Notice of Proposed Vacation pursuant to Section 8322 of the California Streets and Highways Code.

**AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:**

1. Adopt the enclosed Resolution to Conditionally Vacate on the date of the hearing, pursuant to Section 8324 of the Streets and Highways Code, after finding that:
  - a. The vacation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
  - b. The "ALLEYS" proposed to be vacated are no longer needed for present or prospective public use, and are not useful as nonmotorized transportation facilities.
2. Upon approval, authorize Public Works to record the certified original Resolution in the Registrar-Recorder/County Clerk's office.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The Community Development Commission/Housing Authority (CDC) of the County of Los Angeles and the underlying fee owners requested this vacation to remove from the record, County interest and public easement rights within the proposed vacation areas. The CDC proposes to merge the areas vacated with the adjoining properties as part of the West Altadena Shopping Center redevelopment project. The consolidation of parcels separated by the "ALLEYS" will increase the site's buildable area.

It is in the County's interest to vacate the rights of way. The proposed redevelopment project will help support the community's interest by creating access to commerce activities in the area. Vacation/closure of the "ALLEYS" will have minor impact on traffic circulation and will not cut off access to adjacent properties or negatively impact the surrounding properties.

Should the vacation become final, traffic along the existing east/west public alley will be diverted to an alternate alley, 30 feet wide, exiting Crosby Street. As a condition of the proposed vacation, the CDC will cause to dedicate alley right of way to the County and construct improvements.

### **Implementation of Strategic Plan Goals**

This action is consistent with the County's Strategic Plan Goal of Service Excellence. By vacating and allowing the "ALLEYS" to merge with the adjoining properties, the County facilitates the construction of a supermarket retail center, which helps improve the quality of life of the residents in the area. This action is also in line with the County Strategic Plan Goal of Fiscal Responsibility as the vacation of the "ALLEYS" reduces County maintenance cost and financial liability.

### **FISCAL IMPACT/FINANCING**

Vacation of the "ALLEYS" will not have any negative fiscal impact on the County's budget. The vacation processing fee has been waived as this is a County-initiated project. The waiver of the fee is authorized by your Board in a Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321 (f) of the California Streets and Highways Code.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The areas to be vacated contain approximately 8,209 square feet and are shown on the map attached to each Resolution. The alternate alley to be dedicated to the County has an area of 5,468 square feet.

The County's interest of the existing "ALLEYS" was acquired by dedication on the map of Tract No. 327, recorded in Book 14, page 77, of Maps, in the Registrar-Recorder/County Clerk's office as an easement for street and highway purposes.

The vacation of the "ALLEYS" will be subject to the following conditions, should your Board adopt our recommendations:

1. That the CDC dedicate and construct curve returns at the intersection of Crosby and Acacia Streets with Lincoln Avenue.
2. That the CDC repair and construct curbs, gutters, and sidewalks to County standards damaged during construction.
3. That the CDC construct curbs, gutters, and sidewalks on Acacia and Crosby Streets to close the alley vacated to the satisfaction of Public Works.

4. That the CDC cause to dedicate and construct an alternate alley to County standards exiting Crosby Street to preserve traffic continuity.

The Public Streets, Highways, and Service Easement Vacation Law allows your Board to relinquish the County's interest and terminate the public's right over County right of way. Adoption by your Board of the Resolution to Conditionally Vacate terminates the rights of the public to the vacated area. Your action will also result in the properties being unencumbered of the public easement, thereby allowing the CDC to exercise their reversionary rights over the vacated areas.

#### **ENVIRONMENTAL DOCUMENTATION**

This proposed vacation is categorically exempt from CEQA as specified in Sections 15301, 15304, 15305, and 15321 of the State CEQA Statutes and Guidelines, and as specified in Classes 1, 4, 5, and 21 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 51.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The County of Los Angeles Fire Department has determined that fire and medical emergencies will not be affected by the proposed vacation. The County of Los Angeles Regional Planning Commission has determined that the proposed vacation of the "ALLEYS" is not in conflict with the County-adopted General Plan. Parks and Recreation and Regional Planning have determined that the rights of way are not needed for bicycle paths and trails.

#### **CONCLUSION**

This action is in the County's best interest. Enclosed are a Resolution of Intention to Vacate (Conditionally) and a Resolution to Conditionally Vacate, both approved as to form by County Counsel, vacating the "ALLEYS" east of Lincoln Avenue. Upon adoption of the Resolution of Intention to Vacate (Conditionally), please transmit two conformed copies of the Resolution and the Notice of Proposed Vacation to this office, which will post the Notice pursuant to California Streets and Highways Code Section 8323. Upon adoption of the Resolution to Conditionally Vacate, please return one executed original, together with two conformed copies and a copy of the Board's minute order, for further processing. We will record the Resolution to Conditionally Vacate and return the executed original Resolution to you when recorded. In the interim, please retain one executed original for your files.

The Honorable Board of Supervisors  
April 19, 2005  
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One approved copy of this letter is requested.

Respectfully submitted,

DONALD L. WOLFE  
Acting Director of Public Works

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Enc.

cc: Chief Administrative Office  
County Counsel

## **RESOLUTION OF INTENTION TO VACATE**

### **(CONDITIONAL)**

WHEREAS, it is proposed that the north/south alley and a portion of the east/west alley east of Lincoln Avenue, in the unincorporated County area known as Altadena, State of California, be conditionally vacated as public/County highways; and

WHEREAS, the proposed vacation has been approved by the Acting Director of the County of Los Angeles Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California, that it is the intention of said Board of Supervisors to order that the aforementioned rights of way legally described in Exhibit "A" and as shown by the map in Exhibit "B", both attached hereto and incorporated herein by this reference covering the rights of way in the County of Los Angeles, State of California, be vacated conditionally, pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at the hour of \_\_\_\_\_ a.m./p.m. of said day, is the day and hour, and the Hearing Room of the Board of Supervisors, Room 381 Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, is the place fixed by the Board of Supervisors when and where any and all persons having objections to the proposed vacation may appear before said Board of Supervisors and show cause why said proposed vacation should not be made in accordance with this Resolution.

IT IS FURTHER ORDERED that a notice of such proposed vacation be conspicuously posted, along the line of the areas proposed to be vacated, in the manner and in the form required by law, and shall cause same to be published in \_\_\_\_\_, a newspaper of general circulation published in the County, for at least two successive weeks prior to the day fixed for the hearing.

The foregoing Resolution was on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, adopted and ordered by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.,  
County Counsel

VIOLET VARONA-LUKENS  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By \_\_\_\_\_  
Deputy

By \_\_\_\_\_  
Deputy

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**NOTICE OF PROPOSED VACATION OF  
ALLEYS EAST OF LINCOLN AVENUE, IN THE VICINITY OF ALTADENA,  
IN THE 5TH SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a Resolution of Intention was adopted by the Board of Supervisors of the County of Los Angeles on \_\_\_\_\_, 20\_\_\_\_, declaring its intention to conditionally vacate the north/south alley and a portion of the east/west alley east of Lincoln Avenue (Altadena, California 91001) in the 5th Supervisorial District, as described in Exhibit "A" and as shown by the map in Exhibit "B," both attached hereto and incorporated herein by this reference.

The vacation proceeding is conducted pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320.

A hearing on the proposed vacation will be held in the Hearing Room of the Board of Supervisors, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ a.m./p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California, adopted \_\_\_\_\_, 20\_\_\_\_.

VIOLET VARONA-LUKENS  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.,  
County Counsel

By \_\_\_\_\_  
Deputy



## **RESOLUTION TO CONDITIONALLY VACATE ALLEYS EAST OF LINCOLN AVENUE**

WHEREAS, the Board of Supervisors of the County of Los Angeles, State of California, did on \_\_\_\_\_, 20\_\_\_\_, adopt the Resolution of Intention to Conditionally Vacate as public/County highways the north/south alley and a portion of the east/west alley (hereafter referred to as the "ALLEYS") east of Lincoln Avenue in the vicinity of Altadena in the County of Los Angeles, State of California, legally described in Exhibit "A" and shown by map in Exhibit "B", both attached to said Resolution; pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320; and

WHEREAS, the vacation is conditioned upon the Community Development Commission (CDC) complying with the following:

1. That the CDC dedicates and constructs curve returns at the intersection of Crosby and Acacia Streets with Lincoln Avenue.
2. That the CDC repairs and constructs curbs, gutters, and sidewalks to County standards damaged during construction.
3. That the CDC constructs curbs, gutters, and sidewalks on Acacia and Crosby Streets to close the alley vacated to the satisfaction of Public Works.
4. That the CDC causes to dedicate and construct an alternate alley to County standards exiting Crosby Street to preserve traffic continuity.

The above conditions must be successfully met to the satisfaction of the County of Los Angeles Department of Public Works within one year of the approval date by your Board or the vacation will terminate and become null and void.

WHEREAS, pursuant to said Resolution, notice of proposed vacation has been given by publication and by posting; and

WHEREAS, said Board of Supervisors held a public hearing on said proposed vacation \_\_\_\_\_, 20\_\_\_\_; and

WHEREAS, said Board of Supervisors has found and determined that the "ALLEYS" to be conditionally vacated are no longer necessary for present or prospective public use based upon the following facts: That the subject rights of way are not required for general public access or circulation, and are not useful as non-motorized transportation facilities.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, that the above-referenced rights of way are hereby conditionally vacated pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320 of said Streets and Highways Code.

AND BE IT FURTHER RESOLVED that the Department of Public Works be authorized to record the original Resolution in the Office of the Recorder of the County of Los Angeles, at which time the "ALLEYS" vacated will no longer be public/County highways.

The foregoing Resolution was on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, adopted by the Board of Supervisors of the County of Los Angeles, State of California.

VIOLET VARONA-LUKENS  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.,  
County Counsel

By \_\_\_\_\_  
Deputy

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## EXHIBIT "A"

### **ALLEY E/o Lincoln Avenue**

Acacia St to Crosby St and

### **ALLEY S/o Crosby Street**

Alley E/o Lincoln Av to 170' Easterly

AMB 5827-016

T.G. 535 G/6

I.M. 174-237

R.D. 514

S.D. Fifth District

PCA M0576102

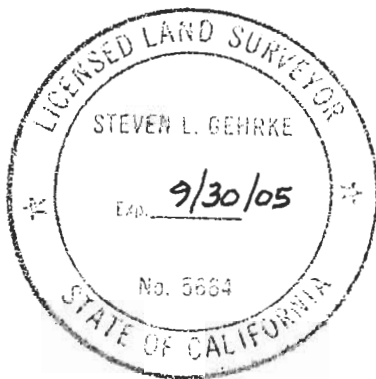
### **ALLEY E/o Lincoln Avenue (Vacation)**

That certain Alley, 15 feet wide, as shown on and dedicated to the public use by map of Tract No. 327, recorded in Book 14, page 77, of Maps, in the Office of the Recorder of the County of Los Angeles, lying easterly of and adjoining Lots 1 to 6 inclusive, of said tract.

### **ALLEY S/o Crosby Street (Vacation)**

That certain Alley, 15 feet wide, as shown on said last mentioned map, lying southerly of and adjoining Lots 13, 14, 15, and that portion of said alley lying westerly of the southerly prolongation of the line parallel with and 20 feet easterly, measured at right angles, to the westerly line of Lot 16, of said tract.

Total Area: 8,209 ± square feet



Description Approved

APRIL 19, 2005

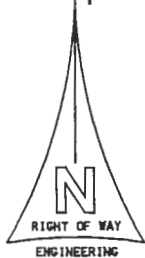
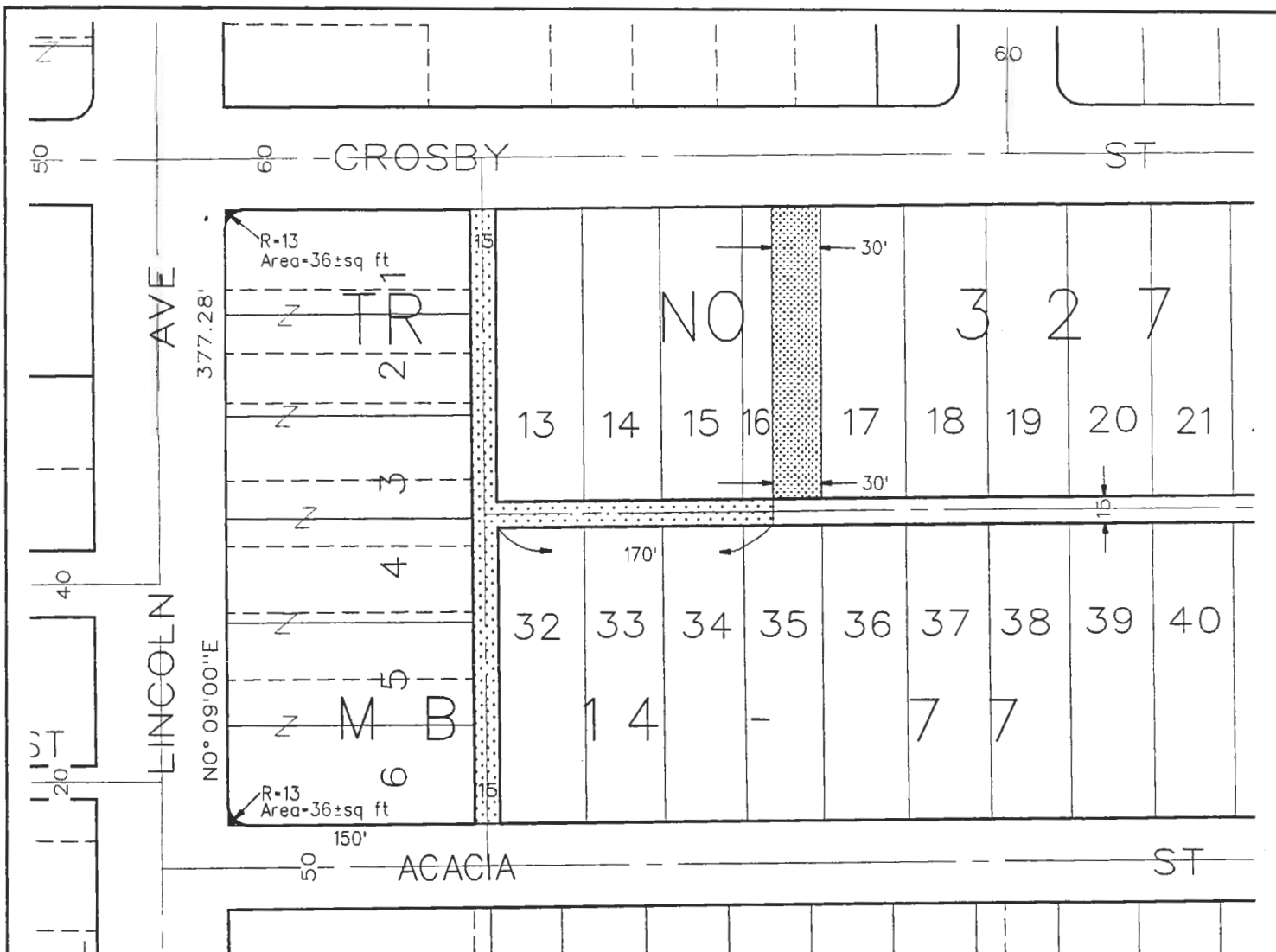
DONALD L. WOLFE

Acting Director of Public Works

By   
Land Surveyor

Mapping & Property Management Division




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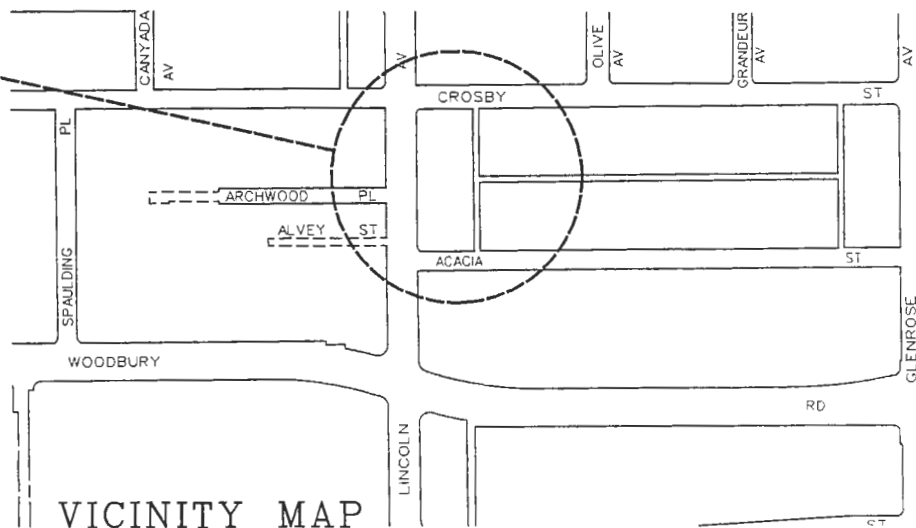


**SUBJECT  
LOCATION**

**EXHIBIT B**

**LEGEND**

-  Area to be vacated  
Total Area 8,209 ±s.f.
-  Proposed Alley  
Total Area 5,468 ±s.f.
-  Curve return to be dedicated  
Total Area 72 ± s.f.



**VICINITY MAP**

REVISIONS	1. 11-22-04	2.	3.
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**DEPARTMENT OF PUBLIC WORKS**

**MAPPING & PROPERTY MANAGEMENT DIVISION**

SD. 5	RD. 514	A.M.B. 5827-016	T.G. 535-G6	ALLEY E/O LINCOLN AVE S/O CROSBY ST	DRAWING NO. M0576102
SCALE NONE		DATE 7-20-04	I.M. 174-237		